

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Carol J. Collins, Frederick Woodin, Minerva Villamor  
Serial No. : 09/938,454  
Filed : August 24, 2001  
Title : REDUCED WAX MASCARA COMPOSITIONS  
  
Art Unit : 1615  
Examiner : Humera N. Sheikh

I hereby certify that this correspondence is being deposited with the  
United States Postal Service as first class mail in an envelope addressed  
to: Commissioner for Patents, Washington, D.C. 20231 on

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
William E. McGowan

\_\_\_\_\_  
Name of applicant, assignee, or Registered Representative

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date of Signature)

Honorable Commissioner of Patents  
Washington, D.C. 20231

**DECLARATION UNDER 37 CFR 1.132**

Dear Sir:


I, Lien Ly, declare and state that:

1. I am a citizen of the United States, residing at 15323 Chanera Avenue, Gardena, CA 90249.
2. I have a B.S. in Chemistry from the University of California Los Angeles.
3. I have been employed by Neutrogena Corporation since 1996. I am presently Sr. Research Scientist .

4. I have conducted stability testing for a period of 36 weeks on two mascara products. The first is Neutrogena® Weightless Volume Mascara (Rich Black) ("Wax-free Mascara"), a mascara that contains a silicone gel that includes an organopolysiloxane elastomer (polysilicone-11) and a silicone oil (cyclopentasiloxane and cyclohexasiloxane) and does not contain any wax. The second product was Neutrogena® Full Volume Mascara (Brown Black) ("Wax Mascara"), a product that contains about 11.5%, by weight, of waxes.

5. Following thirty-six (36) weeks of storage at 25°C, the viscosity of the Wax Mascara increased on average by over one hundred percent (100%). The Wax-free Mascara, however, unexpectedly only increased on average nineteen percent (19%).

6. I, Lien Ly, further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further declare that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 35 USC §1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or patent issuing thereon.

By:   
Lien Ly